

**Policy 5810: Overtime for Classified Employees**

**Status:** ADOPTED

**Original Adopted Date:** 02/13/2017 | **Last Revised Date:** 06/10/2024 | **Last Reviewed Date:** 06/10/2024

Caldwell School District values their classified employees and recognizes their essential role in the day-to-day operation of the District. The District shall ensure that compliance procedures are applied properly and consistently to all non-exempt employees throughout the District pursuant to the Fair Labor Standards Act (FLSA).

1. Classified employees who work in excess of forty (40) hours in a given work week may receive overtime pay of one and one-half times the regular hourly rate. Overtime must be pre-approved by the Supervisor/Designee.
2. Classified employees will be compensated for any additional hours beyond their regularly scheduled time within the next ensuing pay period. Additional hours must be recorded and approved by the Supervisor/Designee.
- ~~3. Employees scheduled to work 253 days may be eligible for compensation time upon approval by their Supervisor/ Designee.~~
  - ~~3.1 Accrued compensation time must be used within the next pay period unless prior arrangements have been made with the Supervisor/Designee.~~

**SECTION 4. GUIDELINES**

- 4.1 All employees shall be identified as either exempt or non-exempt and advised pursuant to their job description.
- 4.2 All department supervisors shall make certain that FLSA provisions relating to overtime and hours worked are strictly adhered to, in order to ensure compliance with federal law.
- 4.3 Non - exempt employees shall not use overtime hours routinely to complete regular job responsibilities.
- 4.4 Department supervisors have the authority to adjust work schedules within the work week and/or work day to avoid overtime or minimize the number of compensatory comp time hours accumulated by an employee.
- 4.5 A non-exempt employee who works overtime without authorization may be subject to disciplinary action up to and including termination.

**SECTION 5. VOLUNTEERING**

- 5.1 Non-exempt employees shall not volunteer time and services within this District when the volunteer time involves the same type of service that the employee is hired to perform.
- 5.2 Prior to performing any volunteer services in the District, a non-exempt employee must discuss the issue with and obtain approval from his /her department supervisor.

**SECTION 6. DEFINITIONS**

- ~~6.1 Compensatory (comp) time: time off in lieu of monetary overtime compensation, calculated at time and one-half for each hour worked over forty (40) hours in any one (1) work week.~~
  - 6.2 Exempt Employee: those bona fide executive, administrative, professional, or certified employees excluded from the overtime provisions of FLSA. Whether an employee is exempt depends on analysis of the duties and responsibilities of the job performed. Job title alone does not make an employee exempt. No additional compensation or compensatory time is provided for hours worked in excess of forty (40) in a given work week.
  - 6.3 Non - exempt Employee: those employees included in the overtime provisions of FLSA. Additional compensation or compensatory time off will be provided for hours worked over forty (40) during the work week.
  - 6.4 Work week: consists of five (5) consecutive days during a period of seven (7) days. A regular work week generally begins at midnight on Sunday and ends at midnight the following Sunday, although a regular work schedule is normally based on a Monday through Friday week.
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**CFR - Code of Federal Regulations References**      **Description**

29 CFR § 516.4      [Posting of Notices](#)

**USC - United States Code References**      **Description**

29 USC 201, et seq.      [Fair Labor Standards Act](#)